

REMARKS

This is a Reply to the final Office Action of November 26, 2007. Applicant thanks the Examiner for carefully considering the present application.

Status of Claims

Claims 9-36 are pending. Claims 9 and 22 are independent.

Claims 15, 19, 26, 28 and 32 were rejected under 35 USC 112, second paragraph, as being indefinite. Claims 22-36 are rejected under 35 USC 101 for being directed to nonstatutory subject matter. Claims 9-11 and 22-24 were rejected under 35 USC 102(e) as being anticipated by USPN 5,956,487 to Venkatraman et al. ("Venkatraman"). Claims 12-17, 25-30, 34, 35 and 36 were rejected under 35 USC 103(a) as being unpatentable over Venkatraman in view of USPN 5,982,445 ("Eyer"). Claims 20, 21 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman in view of USPN 5,432,789 ("Armstrong"). Claims 18, 19, 31 and 32 were rejected under 35 USC 103(a) as being unpatentable over Venkatraman and Eyer in view of USPN 5,974,449 ("Chang").

Claims Amendments

By way of this Reply, claims 15, 19, 26, 28 and 32 have been responsively amended to clarify the different web pages. Accordingly, withdrawal of the rejection of claims 13-19 and 26-32 under 35 USC 112, second paragraph, is respectfully requested.

Independent claims 9 and 22 have been amended to clarify that the web page contained within the server device is associated with a control of the server device. Web page association with sever device features have already been presented (e.g., claims 14 and 27), and are not new matter. Dependent claims 11 and 24 have been additionally amended to clarify that the server device comprises a home device.

No new matter has been added by way of these amendments and none of the above amendments is made in view of prior art. In addition, the amended limitations, for example, the

web page “associated with the device control,” have already been presented in the claim set (*see, e.g.,* claims 14 and 27) and have already been examined. Thus, no new search is necessary. Accordingly, entry and favorable consideration are respectfully requested.

Rejection under 35 USC §101

Rejection of claims 22-36 under 35 USC 101 is respectfully traversed because the claims are directed to a system comprising devices, which is clearly statutory. The instant Office Action asserts that the Specification (page 23, line 17) teaches that “in accordance with the invention it is possible to operate with a number of software agents representing devices which are capable of controlling lights, for example,” and thus has narrowly construed the claimed “devices” as only software. Applicant respectfully disagrees. As noted above, the cited portion of the Specification merely recites an example of devices, which at any rate requires hardware to execute the software. Further, the Office Action construes the claim language without considering other extensive teachings of structure of the devices, apparatuses, and the system throughout the Specification. Accordingly, withdrawal of the rejection of claims 22-36 is respectfully requested.

Rejection under 35 USC §102(e)

Rejection of claims 9-11 and 22-24 under §102(e) as being unpatentable over Venkatraman is respectfully traversed because for at least the following reasons, Venkatraman does not disclose all of the claimed limitations.

The claimed invention is directed to a method and system for a server device to communicate with a client device in a home network. Independent claim 9 requires, in part, “(b) receiving a second request signal requesting a web page contained within said server device and associated with a device control of said server device, wherein said second request signal is generated in response to said server device characteristic data;” and “(c) sending said web page in response to said second request signal.” Independent claim 22 has similar limitations. Advantageously, the second request signal is generated based on feedback from the server device, thereby providing communications between server and client devices in the claimed

home network. By contrast, Venkatraman fails to disclose at least the above-mentioned claimed limitations.

Venkatraman teaches an HTML file that defines the webpage 18 contains URLs (hyperlinks). Col. 6 of Venkatraman provides an example HTML file showing URLs including: <http://www.hpsc.com> (Service Contract), <http://www.hpsupl.com> (Supplies ordering), <http://www.hpl.hp.com> (Future Products). Thus, it is clear that Venkatraman teaches that the webpage 18 merely contains links to external web pages that provide, for example, service and ordering information.

However, the instant Office Action has equated the above-mentioned, external web pages to the claimed “web page contained within said server device.” This is clearly incorrect. Indeed, col. 7, lines 5-14 of Venkatraman (relied upon in the instant Office Action) teaches that the URLs included in the webpage 18 are external web pages, located for example remotely in the printer manufacturer (Hewlett-Packard Company’s) headquarters at Palo Alto, California, *not* “within the sever device” as claimed. By equating the external web pages as taught by Venkatraman to the claimed “web page contained within said server device,” the instant Office Action has effectively equated the remote servers as taught by Venkatraman to the claimed “server device,” contradicting the instant Office Action itself wherein the printer devices 10 and other devices 50-52 within the home network 30 of Venkatraman are equated to the claimed “server device.”

Further, col. 7, lines 15-22 of Venkatraman teaches that whenever a hyperlink is used, associated publications are stored elsewhere, *i.e.*, outside the device 10. Though when not referenced via hyperlinks, the publications may be stored within the device 10, such publications are clearly *not* the web pages as claimed.

Furthermore, although col. 3, lines 43-50 of Venkatraman suggest that the web page 18 may also contain one or more URLs that specify additional web pages located elsewhere, the

instant Office Action would still contradict itself as the device 10 containing the web page 18 would have been interpreted as both the server device and the client device.

The instant Office Action has further equated the *directing browser to other web pages* as taught by Venkatraman to the claimed “(c) sending said web page in response to said second request signal.” Applicant again respectfully disagrees. Not only are the other web pages in Venkatraman different from the claimed “said web page”, as discussed, but the step of *directing* to other web pages in Venkatraman is also clearly different from the claimed step of “sending” the web page.

Moreover, the web pages as taught by Venkatraman clearly are not “associated with a device control” of the server device, as claimed. Indeed, the external web pages as taught by Venkatraman merely provide, for example, service and ordering information, and are not associated with any device control.

Applicant further respectfully submits that contrary to the assertions in the instant Office Action, Venkatraman is silent with respect to the claimed “said second request signal is generated in response to said server device characteristic data.” The instant Office Action has equated the *HTTP command requesting other web pages* as taught by Venkatraman to the claimed “second request signal.” Applicant respectfully disagrees.

HTTP commands, as taught by Venkatraman, are commands following standard Hyper-Text Transfer Protocol (*see, e.g.,* col. 3, lines 5-26 of Venkatraman). There is nothing in Venkatraman showing or suggesting that such commands are “generated in response to said server device characteristic data” as claimed.

For at least the above reasons, independent claims 9 and 22 are patentable over Venkatraman. Dependent claims 10, 11, 23 and 24 are allowable for at least the same reasons.

Regarding claims 10 and 23, Applicant further respectfully submits that Venkatraman further fails to disclose the steps of sending (by the server device) said server device characteristic data to client device, as claimed. As discussed above, the instant Office Action has equated the remote web servers (hp.com) to the claimed “server device,” and the remote servers as taught by Venkatraman merely send information stored therein, such as service and product information, to the user, but do not send the “server device characteristic data” as claimed. Thus, claims 10 and 23 should be allowable for at least these additional reasons.

Regarding claims 11 and 24, Venkatraman further fails to disclose that the server device “comprises a home device” as claimed. As discussed above, the instant Office Action has equated the remote web servers (hp.com) to the claimed “server device,” and the remote servers as taught by Venkatraman clearly are not “home devices” as claimed. Thus, claims 11 and 24 should be allowable for at least these additional reasons.

In view of the above, withdrawal of the rejection of claims 9-17, 22-30 and 34-36 is respectfully requested.

Rejection under 35 USC §103(a)

Claims 12-17, 25-30, 34, 35 and 36

Rejection of claims 12-17, 25-30, 34, 35 and 36 under §103(a) as being unpatentable over Venkatraman in view of Eyer is respectfully traversed because the claims include limitations not taught or suggested by the cited references, whether considered separately or in combination.

As discussed above, Venkatraman fails to show or suggest all of the claimed limitations of the base claims 9 or 22. Eyer, which is directed to an HTML protocol for television display and control, fails to supply that which Venkatraman lacks. Thus, Venkatraman and Eyer, whether considered separately or in combination, fail to show or suggest all the claimed limitations of dependent claims 12-17, 25-30, 34, 35 and 36.

Further, there is no reason, motivation or suggestion to combine Venkatraman and Eyer. As discussed above, the remote web servers (hp.com) as taught by Venkatraman has been equated to the server devices in a home network. There is no reason, motivation or suggestion to incorporate such remote web servers (such as hp.com) into the home network as taught by Eyer, as doing so would increase the traffic in the home network to become intolerable.

Regarding claims 16 and 29, Applicant further respectfully submits that, contrary to the assertions made in the instant Office Action, Eyer does not show or fairly suggest “generating a device link file, wherein the device link file identifies the plurality of server devices; and creating the device link page including said device controls associated with the plurality of server devices identified in the device link file,” as claimed. Col. 12, lines 31-35 of Eyer (relied upon in the instant Office Action) reads:

...The screen, shown generally at 500, includes a “TV control” field 510, a “Home Systems” field 530, and an “Audio Center” field 550. The TV Control field 510 allows a user to control various television related functions. ...

From the above passage, it appears that the Examiner has equated the screen 500 as taught by Eyer to the claimed “device link file” (which Applicant respectfully traverses). However, the screen 500 in Fig. 5 of Eyer has already been equated to the claimed “device link page” by an earlier portion of the instant Office Action (which Applicant also respectfully traverses) when rejecting claims 14 and 27. As clearly set forth in the claims and in the Specification, although the “device link page” is generated based on the “device link file,” they are different limitations. Thus, the instant Office Action clearly contradicts itself, and Eyer does not show or suggest at least the “device link file” as claimed.

In view of the above, Venkatraman and Eyer, whether considered separately or in combination, fail to show or suggest all the claimed limitations of dependent claims 12-17, 25-30, 34, 35 and 36. In addition, there is no reason, motivation or suggestion to combine Venkatraman and Eyer. Thus, claims 12-17, 25-30, 34, 35 and 36 are patentable over

Venkatraman and Eyer for at least the reasons set forth above. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 20, 21 and 33

Rejection of claims 20, 21 and 33 under §103(a) as being unpatentable over Venkatraman in view of Armstrong is respectfully traversed because the claims include limitations not taught or suggested by the cited references, whether considered separately or in combination.

As discussed above, the instant Office Action has equated an individual home page contained within an individual device as taught by Venkatraman to the claimed “device link page,” and has further equated the remote servers (hp.com) linkable from the individual home page contained within an individual device to server devices, which are respectfully traversed. Armstrong similarly fails to show or suggest the claimed “device link page.” Thus, claims 20, 21 and 33 are patentable over Venkatraman and Armstrong for at least the reasons set forth above. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 18, 19, 31 and 32

Rejection of claims 18, 19, 31 and 32 under §103(a) as being unpatentable over Venkatraman, Eyer and Chang is respectfully traversed because the claims include limitations not taught or suggested by the cited references, whether considered separately or in any combination.

As discussed above, the instant Office Action has equated an individual home page contained within an individual device as taught by Venkatraman to the claimed “device link page,” and has further equated the remote servers (hp.com) linkable from the individual home page contained within an individual device to server devices, which are respectfully traversed. As also discussed above, there is no reason, motivation or suggestion to combine Venkatraman, Eyer and Chang.

Applicant further respectfully submitted that the cited references also fail to show or suggest the claimed “converting the logical device name to a device control.” The instant Office Action has relied upon Chang to supply such a conversion. However, Chang does not disclose the claimed “logical device name” at all.

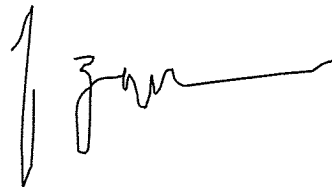
Thus, claims 18, 19, 31 and 32 are patentable over Venkatraman, Eyer and Chang for at least the reasons set forth above. Accordingly, withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests that the rejections of the claims be withdrawn, and that the case be passed to issue. If the Examiner feels that a telephone interview would be helpful to the further prosecution of this case, it is respectfully requested that the undersigned attorney be contacted at the listed telephone number.

Please direct all correspondence to **Myers, Dawes Andras & Sherman, LLP**, 19900 MacArthur Blvd., 11th Floor, Irvine, California 92612.

Respectfully submitted,



Michael Zarrabian
Registration No. 39,886
Myers Dawes Andras & Sherman, LLP
19900 MacArthur Blvd., 11th Floor
Irvine, CA 92612
(949) 223-9600
(949) 223-9610 – Fax
Customer No.: 23386